

SENATE BILL No. 273

DIGEST OF INTRODUCED BILL

Citations Affected: IC 35-41-1-5.5.

Synopsis: Child molesters and credit class IV. Expands the definition of "credit restricted felon" to include all persons convicted of child molesting. (Credit restricted felons are required to serve 85% of their sentence.)

Effective: July 1, 2009.

Head

January 7, 2009, read first time and referred to Committee on Corrections, Criminal, and Civil Matters.

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First Regular Session 116th General Assembly (2009)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2008 Regular Session of the General Assembly.

SENATE BILL No. 273

A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 35-41-1-5.5, AS ADDED BY P.L.80-2008,
2 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
3 JULY 1, 2009]: Sec. 5.5. "Credit restricted felon" means a person who
4 has been convicted of at least one (1) of the following offenses:

5 (1) Child molesting (~~IC 35-42-4-3~~), ~~involving sexual intercourse~~
6 or deviate sexual conduct (~~IC 35-42-4-3(a)~~), if:

7 (A) the offense is committed by a person at least twenty-one
8 (21) years of age; and

9 (B) the victim is less than twelve (12) years of age;

10 (2) Child molesting (~~IC 35-42-4-3~~) resulting in serious bodily
11 injury or death;

12 (3) (2) Murder (IC 35-42-1-1), if:

13 (A) the person killed the victim while committing or
14 attempting to commit child molesting (IC 35-42-4-3);

15 (B) the victim was the victim of a sex crime under IC 35-42-4
16 for which the person was convicted; or

17 (C) the victim of the murder was listed by the state or known



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1 by the person to be a witness against the person in a
2 prosecution for a sex crime under IC 35-42-4 and the person
3 committed the murder with the intent to prevent the person
4 from testifying.

5 SECTION 2. [EFFECTIVE JULY 1, 2009] **IC 35-41-1-5.5, as**
6 **amended by this act, applies only to persons who commit a crime**
7 **after June 30, 2009.**

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